

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

CYNTHIA PALACIOS, individually and on behalf of all others similarly situated,)	
)	
Plaintiff,)	
v.)	Case No. 2:21-CV-11815
)	
)	Hon. Terrence G. Berg
ANNIE'S PUBLISHING, LLC,)	
)	
Defendant.)	
)	

STIPULATED ORDER TO STAY ACTION PENDING MEDIATION

Plaintiff Cynthia Palacios and Defendant Annie's Publishing, LLC ("Annie's," together with Plaintiff, the "Parties") state as follows:

WHEREAS, this action was originally filed on August 5, 2021 by former plaintiff Arlene Devroy (ECF No. 1);

WHEREAS, the operative first amended complaint substituting Plaintiff as named plaintiff in Ms. Devroy's place was filed on December 15, 2021 (ECF No. 8);

WHEREAS, Annie's filed a motion to dismiss on March 3, 2022 (ECF No. 12);

WHEREAS, Plaintiff filed a response to the motion to dismiss on March 24, 2022 (ECF No. 14);

WHEREAS, Annie's filed a reply in support of the motion to dismiss on March 31, 2022 (ECF No. 16);

WHEREAS, the Parties wish to explore potential resolutions to this action, and have agreed to attend a mediation on September 20, 2022 before the Honorable Frank Maas (Ret.) of JAMS;

WHEREAS, in order to preserve judicial resources and afford the Parties an opportunity to reach an amicable resolution at this juncture of the action, the Parties respectfully request that the Court stay this action, and defer deciding the Defendant's motion to dismiss, pending the outcome of the Parties' mediation before Judge Maas;

WHEREAS, the Parties wish to advise the Court that the timing of their mediation (approximately three (3) months from today's date) is attributable to the upcoming departure of Defendant's President and Chief Executive Officer and his successor's transition into the company, which will include the need to become apprised of the issues presented in this action prior to the mediation;

WHEREAS, the Parties, by and through their counsel, stipulate to an Order staying this action pending their upcoming mediation;

WHEREAS, should the Court stay this action as the Parties have stipulated to herein, the Parties propose that they be required to submit a joint status report to

apprise the Court of the outcome of the mediation within five (5) days following the mediation, *i.e.*, by no later than September 25, 2022;

Accordingly, **IT IS HEREBY ORDERED** that this action is stayed for all purposes pending the outcome of the Parties' September 20, 2022 mediation, and that the Parties shall file a joint status report apprising the Court of the outcome of the mediation by no later than September 25, 2022.

SO ORDERED.

Dated: June 27, 2022

/s/Terrence G. Berg
Hon. Terrence G. Berg
UNITED STATES DISTRICT JUDGE

STIPULATED AND AGREED:

/s/ E. Powell Miller

THE MILLER LAW FIRM, P.C.
E. Powell Miller
Sharon S. Almonrode
Gregory Mitchell
950 W. University Drive, Suite 300
Rochester, MI 48307
(248) 841-2200
epm@millerlawpc.com
ssa@millerlawpc.com

BURSOR & FISHER, P.A.
Philip L. Fraietta
888 Seventh Avenue
New York, New York 10019
(646) 837-7150
pfraietta@bursor.com

HEDIN HALL LLP
Frank S. Hedin
1395 Brickell Ave
Suite 900
Miami, FL 33131
(305) 357-2107
fhedin@hedinhall.com

/s/ Meegan Brooks

STEPTOE & JOHNSON LLP
Stephanie Sheridan
Meegan Brooks
One Market Plaza
Spear Tower, Suite 3900
San Francisco, CA 94105
(415) 365-6700
ssheridan@steptoe.com
mbrooks@steptoe.com

Attorneys for Defendant

Attorneys for Plaintiff

Dated: June 9, 2022

Respectfully submitted,

/s/ E. Powell Miller
THE MILLER LAW FIRM, P.C.
E. Powell Miller
Sharon S. Almonrode
Gregory Mitchell
950 W. University Drive, Suite 300
Rochester, MI 48307
(248) 841-2200
epm@millerlawpc.com
ssa@millerlawpc.com

BURSOR & FISHER, P.A.
Philip L. Fraietta
888 Seventh Avenue
New York, New York 10019
(646) 837-7150
pfraietta@bursor.com

HEDIN HALL LLP
Frank S. Hedin
1395 Brickell Ave
Suite 900
Miami, FL 33131
(305) 357-2107
fhedin@hedinhall.com

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I, E. Powell Miller, an attorney, hereby certify that on June 9, 2022, I served the above and foregoing on all counsel of record by submitting it via the Court's Utilities system and forwarding verification of the submission and this document to counsel for Defendant at the following email addresses:

Meegan Brooks
mbrooks@steptoe.com

Stephanie Sheridan
ssheridan@steptoe.com

/s/ E. Powell Miller

E. Powell Miller
THE MILLER LAW FIRM, P.C.
950 W. University Dr., Ste 300
Rochester, MI 48307
Tel: 248.841.2200